

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICCARDO GREEN,

Plaintiff(s),

v.

SEATTLE ART MUSEUM

Defendant(s).

NO. C07-0058MJP

ORDER ON MOTION TO SERVE
ADDITIONAL INTERROGATORIES

The above-entitled Court, having received and reviewed:

1. Plaintiff's Motion for Leave of Court to Serve Additional Interrogatories (Dkt. No. 32)
2. Opposition to Motion for Leave to Serve Additional Interrogatories (Dkt. No. 42)

and all exhibits and declarations attached thereto, makes the following ruling:

IT IS ORDERED that the motion is DENIED.

Plaintiff has moved for leave of the Court to serve up to 5 additional interrogatories on Defendant. Plaintiff's motion does not indicate to the Court what the additional interrogatories will consist of or why he requires more than the standard number of interrogatories in order to prepare his case.

As Plaintiff notes in his motion, FRCP 33(a) states that "[l]eave to serve additional interrogatories shall be granted to the extent consistent with the principles of Rule 26(b)." FRCP 26(b) permits the Court to limit discovery if it is "unreasonably cumulative or duplicative, or is obtainable from some other source" or if "the party seeking discovery has had ample opportunity by discovery in the action to obtain the information sought" or if "the burden or expense of the proposed discovery outweighs its likely benefit." FRCP 26(2)(C). Plaintiff has provided no information in his pleading which would permit the Court to assess whether or not any of those criteria are applicable.

1 Absent such a showing, the motion is DENIED.

2 The clerk is directed to provide copies of this order to all counsel of record.

3 Dated: October 10, 2007

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5 Marsha J. Pechman

6 United States District Judge